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2 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

3 -----X
CHAD STANBRO,

4 PLAINTIFF,

5 -against-

Case No.:
19-CV-10857

6
7 WESTCHESTER COUNTY HEALTH CORPORATION,
8 WESTCHESTER MEDICAL CENTER, FRANK WEBER,
AND JOHN FULL,

9 DEFENDANTS.

10 -----X
CHAD STANBRO,

11 PLAINTIFF,

12 -against-

Case No.:
19-CV-10857

13 C.O. NADYA PALOU, C.O. RAYMOND DEAL, C.O.
14 KRISTOPHER LEONARDO, C.O. RICHARD LANDRY,
15 CORRECTION NURSE GARY PAGLIARO, AND
CORRECTION SERGEANT ENRIQUE TORRES,

16 DEFENDANTS.

17 -----X
18
19 DATE: April 29, 2021
20 TIME: 12:30 P.M.

21 DEPOSITION of the Defendant,
NADYA PALOU, taken by the respective
22 parties, pursuant to an Order and to the
Federal Rules of Civil Procedure, held via
23 videoconference, before Victoria Chumas, a
Notary Public of the State of New York.
24
25

1 N. PALOU

2 Q. Okay. Any portion below the
3 left ear?

4 A. Not that I can see. I mean, at
5 this point like I said, I'm holding
6 Stanbro's hand and trying to put pressure
7 on his legs while also making sure my
8 partner was okay and giving directions to
9 my partner to get the handcuffs on Mr.
10 Stanbro.

11 Q. Okay. Now, do you recall
12 having a conversation with me over the
13 telephone a couple of months ago?

14 A. When you contacted me via
15 Facebook?

16 Q. Yes.

17 A. Yes.

18 Q. And at that time, did you
19 discuss with me what happened inside of the
20 dental office?

21 A. I told you exactly what I am
22 saying right now.

23 Q. Okay. Do you recall telling me
24 that Leonardo's forearm was against Chad's
25 neck?

1 N. PALOU

2 A. Well, if his hand is right here
3 on his left side by -- his hand is by his
4 left side by his ear on his head, so his
5 arm continues down that way, so I mean that
6 is what I can see from my direction.

7 Q. Okay. So you're saying that
8 his hand was on the side of his head and
9 his forearm was against Stanbro's neck; is
10 that correct?

11 A. I'm saying his hand was by the
12 left side of his head, and his arm
13 continues down, so I don't know if it was
14 actually on the neck area, but I know his
15 hand was like this (Indicating).

16 Q. Okay, but let me repeat the
17 question. Do you recall telling me that
18 Officer Leonardo's forearm was against Mr.
19 Stanbro's neck?

20 A. Like I said sir, if you
21 continue the trajectory of the arm, that's
22 where -- the hand was what I saw on his
23 left side. So if you continue the
24 trajectory of the arm, you know, I am going
25 to assume that the arm was somewhere in

1 N. PALOU

2 that area.

3 Q. In the area of the neck?

4 MS. COLLINS: Objection.

5 Q. When you say you assume it was
6 in "that area," are you referring to the
7 neck?

8 A. I am referring to when the
9 trajectory of the arm -- if the hand is
10 placed on the left side of the head, your
11 arm is going to continue down, so whether
12 it was directly on the neck, I could not
13 see if it was directly on the neck. All I
14 could see is the trajectory of where the
15 arm would be going as I am holding the
16 inmate while he was still moving around and
17 thrashing around and not being complaint.

18 Q. Okay. Physics and trajectories
19 aside, do you recall telling me that
20 Leonardo's forearm was against Chad's neck?

21 MS. COLLINS: Objection. Asked
22 and answered.

23 Q. You can answer.

24 A. Okay. Like I said, I recall
25 telling you that his hand was on his head

1 N. PALOU

2 on his left side. Whether his arm was
3 directly on his neck, that's what I could
4 see, his arm coming down. Whether it was
5 directly on his neck, skin -- his forearm
6 skin touching his neck, I am not 100
7 percent sure. That's what I could see, so
8 whether it was actually making contact with
9 his neck, it was around that area.

10 Q. Okay. For how long a period of
11 time did you see Officer Leonardo holding
12 Chad's head with his hand and then the
13 trajectory of his forearm going down?

14 A. Up until the moment that we
15 were able to get the handcuffs on him. Up
16 until the moment my partner, Deal, was able
17 to get the handcuffs on him. And we told
18 Deal, you know, get the chain underneath
19 him. So we got the chain underneath him,
20 and we were able to secure the inmate with
21 the mechanical restraints again.

22 Q. So how long a period of time in
23 total was this that Officer Leonardo had
24 his hand holding down Chad Stanbro's head?

25 A. I want to say maybe a minute.

1 N. PALOU

2 I mean, maybe a minute or two because by
3 the time Chad Stanbro kicked my partner, my
4 partner bounced off the wall, and we were
5 able to tell him to get the handcuffs on
6 him, so I want to say maybe, you know, two
7 to three minutes, maybe four minutes. I am
8 not 100 percent sure. I wasn't -- you
9 know, at the heat of the moment, I really
10 was not looking at the time to see what was
11 going on, how long it was taking. But I
12 want to say maybe a couple of minutes
13 because by the time Deal put the handcuffs
14 on him, we got the chain underneath him and
15 the black box to secure him.

16 Q. And during those two minutes or
17 so, or two or three minutes, or whatever it
18 was that Leonardo had his hand holding down
19 Chad Stanbro's head, did you see Leonardo
20 take his hand off at any point?

21 A. No, I did not. Because at that
22 point, Mr. Stanbro was still fidgeting, so
23 Leonardo was still holding him down.

24 Q. Okay. Did you see Leonardo
25 putting his weight on Chad's neck?

1 N. PALOU

2 A. Excuse me, can you repeat that?
3 You kind of broke up.

4 Q. All right. Do you recall
5 telling me that Leonardo was putting his
6 weight on Chad's neck?

7 A. I recall telling you that he
8 was holding Chad on the chair. I don't
9 recall using -- necessarily saying that he
10 was putting the pressure on his neck. He
11 was holding the inmate's upper torso area
12 because he was fidgeting.

13 Q. So after that two or
14 three-minute period when Officer Leonardo
15 had his hand on Chad's head until you got
16 him into restraints, after that period,
17 what happened?

18 A. Well, after we got him back in
19 the restraints, Chad kind of like calmed
20 down a little bit. He was still
21 hyperventilating and you know breathing
22 like just hyperventilating, upset, and all
23 of that stuff. At that point, I told my
24 partner, you guys got him, and I stepped
25 out of the room to go and give the watch